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*Dep & Ref
Room #307*



PATENT
Attorney Docket No. 401256/TAKADA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of:

GOTOU et al.

Application No. 09/881,665

Art Unit: 2817

Filed: June 18, 2001

Examiner: H. Choe

For: **HIGH FREQUENCY POWER AMPLIFIER**

REQUEST FOR REFUND

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S. Customer Window, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Dear Sir:

Applicants request a refund of \$110 to deposit account 12-1216 to reimburse an improperly charged extension of time fee.

The referenced patent application matured into U.S. Patent 6,759,908 on July 6, 2004. The application was allowed on June 3, 2004 in response to an Appeal Brief filed December 22, 2003. The Appeal Brief was timely filed.

This patent application had been inadvertently abandoned and was revived pursuant to a decision issued October 22, 2003. The decision, a copy of which is attached, set a two-month period from the mailing date of the decision for filing of an appeal brief. The Appeal Brief was filed on December 22, 2003, the exact deadline set by the Decision. A copy of a postcard receipt proving the filing date of the Appeal Brief is attached. Further, the PAIR system confirms the filing of the Appeal Brief on that date.

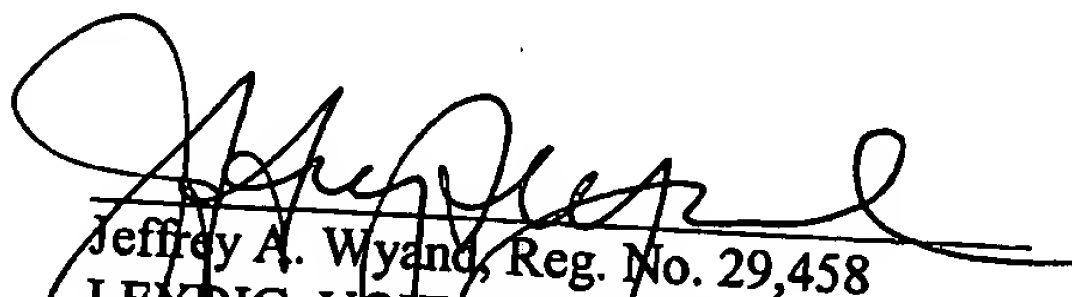
For reasons that are not apparent, an extension of time fee in the amount of \$110 was charged to deposit account with respect to this patent application on February 18, 2004. Since this time period was between the date of the filing of the Appeal Brief and the issuance of the Notice of Allowance, it is presumed that the fee was improperly charged as if the Appeal Brief

In re Appln. of GOTOU et al.
Application No. 09/881,665

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had been filed late. In any event, the fee charged was inappropriate and therefore a refund is now requested.

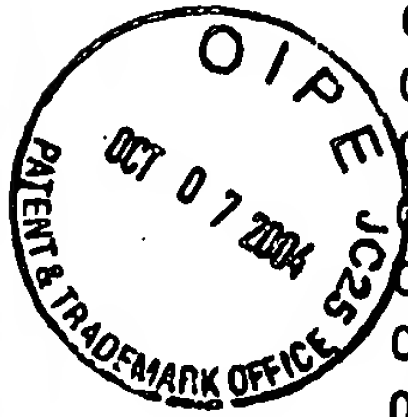
Respectfully submitted,



Jeffrey A. Wyand, Reg. No. 29,458
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: October 7, 2004
JAW:tps

PTO Head (Rev. 6/5/04)



02/17 54	10775916	221228 E201	1201	✓\$86.00	\$58,365.00
02/17 55	10775916	221228 E202	1202	✓\$270.00	\$58,095.00
02/17 58	60543708	225450	1005	✓\$160.00	\$57,935.00
02/17 75	60535288	502603	8021	✓\$40.00	\$57,895.00
02/17 76	60535289	502583	8021	✓\$40.00	\$57,855.00
02/17 78	09504531	212674	8021	✓\$40.00	\$57,815.00
02/17 104	10645319	220841 (E201)	8021	✓\$40.00	\$57,775.00
02/17 104	09868425	A91088 440001	1253	✓\$950.00	\$56,825.00
02/17 122	10775979	226083	1001	✓\$770.00	\$56,055.00
02/17 123	10775979	226083	1202	✓\$126.00	\$55,929.00
02/17 142	10753270	225265	8021	✓\$40.00	\$55,889.00
02/17 149	10765797	226135	8021	✓\$40.00	\$55,849.00
02/17 268	10140542	306000	1501	✓\$1,330.00	\$54,519.00
02/17 269	10140542	306000	1504	✓\$300.00	\$54,219.00
02/17 270	10140542	306000	8001	✓\$33.00	\$54,186.00
02/17 286	PCT/US04/03854	502656	1601	✓\$300.00	\$53,886.00
02/17 287	PCT/US04/03854	502656	1602	✓\$1,000.00	\$52,886.00
02/17 288	PCT/US04/03854	502656	1701	✓\$961.00	\$51,925.00
02/17 289	PCT/US04/03854	502656	8007	✓\$20.00	\$51,905.00
02/17 305	09565927	203992	1501	✓\$1,330.00	\$50,575.00
02/18 1	09881665	401256/TAKAD	1251	✓\$110.00	\$50,465.00
02/18 2	09536649	204417	2253	✓\$475.00	\$49,990.00
02/18 3	09536649	204417	2801	✓\$385.00	\$49,605.00
02/18 11	10211309	402154	1501	✓\$1,330.00	\$48,275.00
02/18 12	10211309	402154	1504	✓\$300.00	\$47,975.00
02/18 13	10211309	402154	8001	✓\$30.00	\$47,945.00
02/18 14	09883956	401253	1501	✓\$1,330.00	\$46,615.00
02/18 15	09883956	401253	1504	✓\$300.00	\$46,315.00
02/18 16	09883956	401253	8001	✓\$30.00	\$46,285.00
02/18 17	10086368	401600	2501	✓\$665.00	\$45,620.00
02/18 18	10086368	401600	1504	✓\$300.00	\$45,320.00
02/18 19	10086368	401600	8001	✓\$30.00	\$45,290.00
02/18 20	09948726	401372	2501	✓\$665.00	\$44,625.00
02/18 21	09948726	401372	1504	✓\$300.00	\$44,325.00
02/18 22	09948726	401372	8001	✓\$30.00	\$44,295.00
02/18 29	09499832	212662	1501	✓\$1,330.00	\$42,965.00
02/18 31	10640037	402756/SOEI	1501	✓\$1,330.00	\$41,635.00
02/18 31	10601032	222363	2051	✓\$65.00	\$41,570.00
02/18 32	10640037	402756/SOEI	1504	✓\$300.00	\$41,270.00
02/18 33	10640037	402756/SOEI	8001	✓\$30.00	\$41,240.00
02/18 87	10776736	226367	1001	✓\$770.00	\$40,470.00
02/18 102	09773964	208925	2453	✓\$665.00	\$39,805.00
02/18 106	10180841	217146	2801	✓\$385.00	\$39,420.00
02/18 106	60543965	225154	2005	✓\$80.00	\$39,340.00
02/18 107	10180841	217146	2253	✓\$475.00	\$38,865.00
02/18 125	10391252	52854 218101 SEE CARD 4m	8007	✓\$260.00	\$38,605.00
02/18 134	10777139	402978/M&C	1001	✓\$770.00	\$37,835.00
02/18 136	10777136	402975/TAKADA	1001	✓\$770.00	\$37,065.00



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LEYDIG VOIT & MAYER
700 THIRTEENTH ST NW
SUITE 300
WASHINGTON, DC 20005-3960

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OFFICE OF PETITIONS

In re Application of
Seiki Gotou et al
Application No. 09/881,665
Filed: June 18, 2001
Attorney Docket No. 401256

23 2003

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed September 30, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The two-month period for filing an appeal brief in triplicate (accompanied by the fee required by 37 CFR 1.17(c)), runs from the date of this decision.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed March 26, 2003, which set a shortened statutory period for reply of three (3) months. A reply under 37 CFR 1.113 is limited to an amendment that *prima facie* places the application in condition for allowance, a Notice of Appeal (and appeal fee required by 37 CFR 1.17(b)), or the filing of a continuing application. Since the amendment submitted does not *prima facie* placing the application in condition for allowance, no Notice of Appeal (and appeal fee), or the filing of a continuing application was timely filed. Extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on July 26, 2003.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.

Wan Laymon
Wan Laymon
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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Leydig Voit & Mayer
700 13th St. N.W., Suite 300, Washington, D.C. 20005

Phone: 202 737-6770

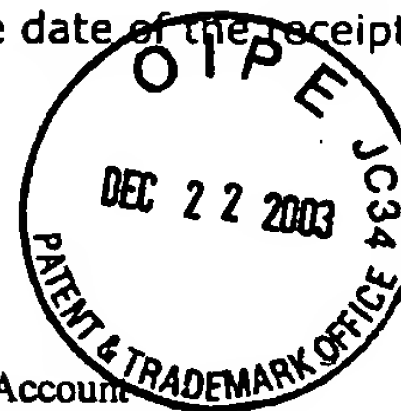
JAW/ji

The Patent Office acknowledges, and has stamped hereon, the date of the receipt of the items checked below:

Docket No.: 401256/TAKADA

Application No.: 09/881,665

Inventor(s): GOTOU et al.



- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Amount \$330.00 | <input checked="" type="checkbox"/> Check | <input checked="" type="checkbox"/> Charge Deposit Account |
| <input type="checkbox"/> Amendment | <input checked="" type="checkbox"/> Transmittal Letter (2 pages; w/duplicate copy) | |
| <input type="checkbox"/> Response <input type="checkbox"/> with duplicate copy | <input type="checkbox"/> Request for Approval of Drawing Amendment | |
| <input type="checkbox"/> Extension of Time & Fee | <input type="checkbox"/> Notice of Appeal & Fee | |
| <input type="checkbox"/> Declaration & Fee | <input checked="" type="checkbox"/> Brief <input checked="" type="checkbox"/> & Fee | |
| <input type="checkbox"/> Assignment & Fee | <input type="checkbox"/> Issue Fee Transmittal Form <input type="checkbox"/> with duplicate copy | |
| <input type="checkbox"/> Notice to File Missing Parts | <input type="checkbox"/> Transmittal of Formal Drawings & sheets of drawings | |
| <input type="checkbox"/> Claim of Priority | <input type="checkbox"/> Maintenance Fee Address Form | |
| <input type="checkbox"/> Priority Document | <input type="checkbox"/> Petition Under <input type="checkbox"/> & Fee | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> & Fee | |
| <input type="checkbox"/> Small Entity Statement(s) () | <input type="checkbox"/> PTO-1449 (pages) <input type="checkbox"/> & documents | |
| <input type="checkbox"/> Trademark Application, Power of Attorney, & Fee <input type="checkbox"/> with specimens | <input type="checkbox"/> RCE Transmittal Letter (pages; w/duplicate copy) | |
| <input checked="" type="checkbox"/> Petition for Entry of Amendment After Final Rejection | | |

✓



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PATENT
Attorney Docket No. 401256

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

GOTOU et al.

Application No. 09/881,665

Filed: June 18, 2001

For: **HIGH FREQUENCY POWER
AMPLIFIER**

Art Unit: 2817

Examiner: H. Choe

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**TRANSMITTAL OF
APPELLANTS' APPEAL BRIEF**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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DEC 24 2003

OFFICE OF PETITIONS

Dear Sir:

In accordance with 37 CFR 1.192, appellants hereby submit Appellants' Brief on Appeal in triplicate.

The items checked below are appropriate:

1. Status of Appellants

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

12/18/2004 SHACKEY 00000001 121216 09881665
1 FC:1251 Fee for Filing Brief on Appeal
110.00 DA

Pursuant to 37 CFR 1.17(c), the fee for filing the Brief on Appeal is for: ☒ other than a small entity or ☐ a small entity.

Brief Fee Due \$330.00

3. Oral Hearing

☐ Appellants request an oral hearing in accordance with 37 CFR 1.194.

4. Extension of Time

☐ Appellants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$110.00.

Adjustment date: 11/24/2004 SDIRETA1
02/18/2004 SHACKEY 00000001 121216 09881665
01 FC:1251 110.00 CR